Fact Sheet

Pesticide Operator Licences and Insurance Requirements

The Ministry of the Environment (MOE) pesticide licensing program is regulated by the Pesticides Act and Ontario Regulation 63/09. In accordance with legislation, the Environmental Approvals Access and Service Integration Branch (EAASIB) manages licensing for the sale, storage, display, use, transportation and disposal of federally registered and provincially classified pesticides. This fact sheet provides information for prospective owners of a pesticide extermination business.

1. Do I require an Operator licence?

Any person that operates a pesticide extermination business in Ontario must hold an Ontario pesticide Operator licence from the MOE unless exempt under Ontario Regulation 63/09. If you apply pesticides commercially, you must have an Operator licence or be working for someone that has an Operator licence. There are certain circumstances when a Pesticide Operator licence is not required. Please refer to the Ontario Regulation 63/09 for more information.

2. How do I qualify/apply for an Operator licence?

To qualify for an Operator licence, you must:

- Hold a valid Ontario Exterminator licence of any type or class. In the case of a partnership or corporation, at least one of the partners or designated official representative(s) must hold a valid Ontario Exterminator licence of any type or class;
- Be 18 years of age or older; and
- Have insurance coverage for the pesticide extermination business as outlined in section 93 of Ontario Regulation 63/09.

3. How do I apply for an Operator licence?

To apply for an Operator licence, you must complete and submit an “Application for a Pesticide Operator Licence” to the EAASIB, Director under the Pesticides Act, at the contact information provided at the end of this fact sheet as follows:

- completed and signed “Application for a Pesticide Operator Licence” form
- proof of legal name of your business including a copy of:
    - Updated Corporate Profile Report, Master Business Licence
    - “Initial Notice or Notice of Change”
    - Articles of Incorporation
    - Extra-Provincial Licence (for out of Province companies), or
    - Birth Certificate (for applicants applying as an individual).

This application form, publication number 4190, is available in the “Resources” section of the MOE’s website at http://www.ene.gov.on.ca/environment/en/resources/STD01_076156.html or you may request that the application be mailed to you by contacting the EAASIB at the contact information provided at the end of this fact sheet.

4. How long will my licence be valid?

All Operator licences expire on February 15th of each calendar year.

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5. What information do I need to include with my application?

You will be asked to include the following information when you complete the "Application for a Pesticide Operator Licence":

- Licence information
  - Information about the licence you are applying for and the licence, if any, that you or your company currently holds.
- Mailing address
  - The address where you or your company receive mail.
- Physical address and Exterminator in Charge
  - You must provide the address if your primary company work location is different than the address where you or your company receives mail. **You can not use a PO Box as a physical address.**
  - If you have more than one physical location, you must provide the address and the full name of your Employee in Charge, their Pesticides Exterminator licence number(s), and the expiry date of their licences for each location.
- List of Employed Exterminators
  - You must provide the full name of all Exterminators you employ, their Pesticides Exterminator licence number(s), and the expiry date of their licences.
- Insurance
  - Information about the insurance coverage for your company to carry out pesticides extermination in accordance with section 93 of Ontario Regulation 63/09.
- Number of vehicles currently in use / number of stickers required
  - This information helps to ensure that you receive the correct number of vehicle identification markers with your Operator licence.
- Payment
  - Operator licences are subject to a $200 fee and are issued for a 1 year period. This fee is payable to the Ontario Minister of Finance by certified cheque, money order, Visa, MasterCard, or American Express.

6. How do I renew my licence?

As set out in subsection 34 (2) of Ontario Regulation 63/09 made under the Pesticides Act, operator licence-holders seeking renewal are required to submit applications for renewals to our office **at least 30 days prior** to the licence expiry date.

You will receive a notice in the mail 120 days prior to the expiration of your licence to assist you in meeting this renewal application deadline. This notice will provide you with detailed instructions on how to renew your licence. If you did not receive a renewal notice or have questions about the renewal process, please contact the EAASIB at the contact information provided at the end of this fact sheet.

Please note: where operator renewal applications are submitted after the deadline set out above, instead of renewing your existing licence, a new licence will be issued. Also, if your renewal application and payment is received on time, your licence will continue to be valid until the renewal is granted or refused (see subsection 13 (6) of the Pesticides Act).

7. How do I update my information on file?

If any information submitted with your new or renewal application has changed, such as a change of address due to a move, or a change of the company's official representative or Exterminator in Charge, you must notify the MOE within 10 days of the change using a form supplied by the ministry. The "Pesticide Licence Information Update Form", publication number 4890 is available on the MOE website at

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http://www.ene.gov.on.ca/environment/en/resources/STD01_076158.html or from the EAASIB at the contact information provided at the end of this fact sheet.

8. Can I transfer my licence to a new owner if I sell my business?

No. An Operator licence is not transferable (Pesticides Act, s.33). You will need to revoke the existing licence and the new owner will have to apply for a new licence within 10 days of this change.

9. What are the responsibilities of a licensed Operator?

Licensed Operators are responsible for ensuring that:

- they have a licensed Exterminator in Charge at each physical location and is normally present at least once during each business day
- their employees consisting of licensed Exterminators, technicians, trainees, and assistants, possess the appropriate licence(s) and/or certification and perform all duties as required under the Pesticides Act and Ontario Regulation 63/09
- all pesticide applications are performed and pesticides stored in compliance with the Pesticides Act and Ontario Regulation 63/09
- the rear of all vehicles used to transport pesticides display an MOE issued Operator sticker for the current year (see Question #10)
- written notice is given to the Fire Department responsible for the area in which pesticides are stored at each physical location (see Question #11)
- the Operator's licence or its copy is displayed prominently at each location (see Question #12); and
- they carry valid and up-to-date insurance as outlined in Regulation 63/09. The insurance coverage must be valid during the term that the Operator is carrying on an active extermination business (see Questions #13).

10. How do I correctly identify a vehicle used to transport pesticides?

A licensed Operator must ensure that a current identification marker is affixed to the rear of all vehicles that transport or apply pesticides. This includes pesticides stored or transported in the cab (passenger compartment) of a vehicle, in the trunk of a vehicle, in a tank mounted in/on a vehicle or in/on a trailer towed by the vehicle. The identification marker must indicate the current calendar year and contain the words "Licensed Operator, Pesticides Act." These identification markers are distributed by the MOE to licensed Operators upon the issuance or renewal of their licence.

11. When do I need to provide written notice to the Fire Department?

Every Operator that stores Classes 1 to 8 pesticides must give written notice annually to the Fire Department responsible for the area in which the pesticide is stored. One "Fire Department Notification Card" for each location will be included with your Operator licence.

12. Do I need a separate Operator licence if my business operates out of more than one location?

No. If a **centrally** owned business operates out of more than one location, only one Operator licence is required. A copy of this licence must be displayed prominently at each location and you must include the following information for each location when you apply for your Operator licence:

- Physical address of each location; and
- Name and Exterminator licence number of the person in charge at each location

13. What are the insurance requirements for licensed Operators?

You cannot operate an extermination business in Ontario without insurance coverage that covers the operation of their pest control business as set out in Ontario Regulation 63/09. Persons found operating an extermination

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business without the proper insurance coverage could have their Operator licence suspended and could face fines and/or charges under the Pesticides Act.

Most automotive and/or business insurance policies **do not** provide coverage that meets these specific requirements and in all likelihood, you will need separate insurance coverage for your extermination business.

Ontario Regulation 63/09 details the specific insurance requirements for licensed Operators. Under section 93 of this regulation, a contract of insurance (insurance policy) for a pest control business should include:

1. Liability coverage of at least $25,000 for each employee of the pest control business, provided that the insurance policy may limit the insurer's liability for any one incident to $50,000. If the pest control business is covered under the *Workplace Safety and Insurance Act* and is paying all premiums and other amounts due under that Act, the insurance policy does not need to contain this liability coverage.
2. Comprehensive coverage in the amount of at least $1,000,000 with respect to death, injury or property damage arising out of any one incident.
3. Pollution coverage for emissions or discharges of chemicals into the environment as part of the business operated under authority of the licence in the amount of at least $200,000 with respect to death, injury or property damage arising out of any one incident.
4. Liability coverage in the amount $100,000 with respect to death or injury arising out of any one incident; and $25,000 with respect to property damage arising out of any one incident if the pest control business involves the airborne application of pesticides.
5. A clause requires the insurer to give 30-day notice before any cancellation of the insurance by either the insurer or the insured. The 30-day notice must be provided by registered mail to the Director, Environmental Approvals Access and Service Integration Branch. The contract of insurance shall remain in full force and effect until after the 30-day notice period has expired.

Contact your insurance provider of choice immediately to arrange for the appropriate insurance coverage. Once appropriate insurance coverage has been arranged, contact the EAASIB at the contact information provided at the end of this fact sheet. Please note the ministry can not provide you with names of insurance companies.

If you have any questions regarding your insurance coverage, please contact your insurance provider.

The information contained in this document is of a general nature only and is not intended to constitute advice for any specific situation. Please note that the texts of many Ontario statutes and regulations are available on the Internet at www.e-laws.gov.on.ca.

For more information about pesticide licensing or to obtain an application package, please contact:

Ministry of the Environment
Environmental Approvals Access and Service Integration Branch

2 St Clair Ave W, Fl 12A, Toronto, ON M4V 1L5
Toll Free: 1-800-461-6290
Phone: 416-314-8001
Fax: 416-314-8452
Email: EAASIBGen@ontario.ca

Website: www.ene.gov.on.ca

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